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KAYE, SCHOLER, FIERMAN, HAYS & HANDLER

THE MCPHERSON BUILDING

901 FIFTEENTH STREET, N.W., SUITE 1100

WASHINGTON, D.C. 20005

(202) 682-3500

TELECOPY NUMBER
(202) 682-3580

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

425 PARK AVENUE
NEW YORK, N.Y. 10022
(212) 836-8000

1999 AVENUE OF THE STARS
SUITE 1600
LOS ANGELES, CA 90067
(213) 788-1000

WRITER'S DIRECT DIAL NUMBER

(202) 682-3526

ADMIRALTY CENTRE
TOWER 1, 32ND FLOOR
18 HAR COURT ROAD
HONG KONG
(852) 865-7676

SQUARE DE MEEÛS 30
1040 BRUSSELS, BELGIUM
(322) 514-4300

ORIGINAL

BEFORE THE
Federal Communications Commission

WASHINGTON, D.C. 20554

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JUN - 8 1992

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In re Application)

HOWARD B. DOLGOFF)

For a Construction Permit For a)
New FM Radio Station on)
Channel 292A in Miramar Beach,)
Florida.)

File No. BPH-911223ME

TO: Chief, Mass Media Bureau

PETITION FOR EXTENSION OF TIME

HOWARD B. DOLGOFF ("DolgoFF"), by his attorneys, pursuant to Section 1.46 of the Commission's Rules, hereby respectfully requests a brief three-week extension of time, to and including Thursday, July 9, 1992, within which to respond to the "Petition To Deny" filed in the above-captioned matter on behalf of Mark and Renee Carter. In support whereof, it is shown as follows:

DolgoFF's above-captioned application was tendered for filing with the Commission on December 23, 1991; DolgoFF's application appears to be mutually-exclusive with the application (File No. BPH-911224ME) of Mark and Renee Carter for Channel 292A in Miramar Beach, Florida. On June 4, 1992, a pleading styled as a "Petition To Deny" was tendered for filing with the Commission on behalf of the Carters against DolgoFF's above-captioned

application. The pleading contends that Dolgoff's application, as amended, is unacceptable for filing, based upon what the Carters believe to be certain deficiencies in Dolgoff's technical showing.

Dolgoff's response to the Carters' Petition is presently due to be filed with the Commisison by no later than Thursday, June 18, 1992.¹ Evaluation of the "Petition To Deny" will require consultation with Dolgoff's engineering consultant; however, the engineering consultant is presently out of the country. Furthermore, undersigned counsel for Dolgoff will be out of the office from June 19 for a period of approximately two

¹ The "Petition To Deny" of the Carters was tendered for filing with the Commission on June 4, 1992. Although the Certificate of Service accompanying the pleading certifies that a copy of the pleading was served upon undersigned counsel for Dolgoff "by courier", and although that Certificate of Service (a copy of which is annexed hereto as Exhibit 1) was signed by counsel for Mark and Renee Carter, the "Petition To Deny" was not in fact served "by courier" as claimed. Rather, the Carters' "Petition To Deny" was served on undersigned counsel for Dolgoff by first-class U.S. mail. A copy of the envelope in which the pleading was sent to undersigned counsel for Dolgoff, is annexed hereto as Exhibit 2; as will be noted from that photocopy, the envelope bears a U.S. postage date of June 4, 1992. Based upon the foregoing, under Sections 1.45(a) and 1.4(h) of the Commission's Rules, the present deadline for the filing of a response to the Carters' "Petition To Deny" is Thursday, June 18, 1992. Thus, Dolgoff is only seeking a three-week extension of time to file his responsive pleading herein.

weeks. These considerations, coupled with the press of other business and the prior professional commitments of counsel, warrant the grant of the brief extension requested herein.

The grant of the requested extension of time will not prejudice any party; rather, the grant of the extension will serve the paramount public interest by providing the Commission with a more thoughtful response by Dolgoff, thereby leading to more informed decisionmaking by the Commission in this case.

Exhibit 1

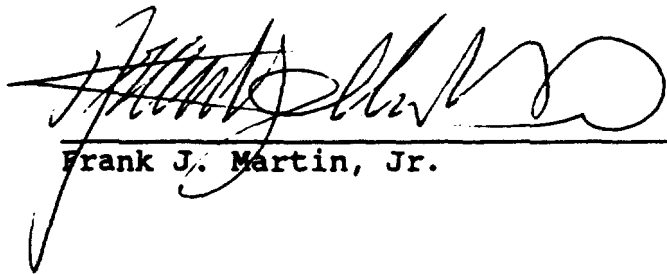
CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of June, 1992, a copy of the foregoing Petition to Deny has been served by courier upon the following:

Irving Gastfreund, Esq.
Kaye, Scholer, Fierman, Hays & Handler
901 15th Street, N.W.
Washington, DC 20005

Charles Dziedzic, Esq.
Hearing Branch of the Mass Media Bureau
2025 M Street, N.W., Room 7212
Washington, DC 20554

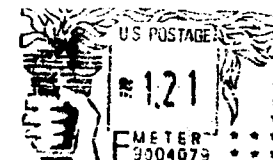
Chief, Data Management Staff
Federal Communications Commission
Audio Services Division
Mass Media Bureau
1919 M Street, N.W., Room 350
Washington, DC 20554



Frank J. Martin, Jr.

Exhibit 2

LAW OFFICES
SUTHERLAND, ASBILL & BRENNAN
1275 PENNSYLVANIA AVENUE, N. W.
WASHINGTON, D. C. 20004-2404



FIRST CLASS MAIL

FROM:

SUTHERLAND, ASBILL & BRENNAN
1275 PENNSYLVANIA AVE., N.W.
WASHINGTON, D.C. 20004-2404

TO:

Irving Gastfreund, Esq.
Kaye, Scholer, Fierman, Hays &
Handler
901 15th Street, N.W.
Washington, DC 20005

CLIENT NO. _____

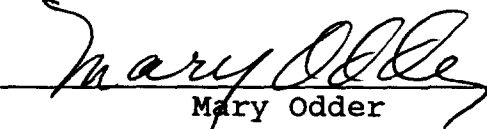
CERTIFICATE OF SERVICE

I, Mary Odder, a secretary in the law firm of Kaye, Scholer, Fierman, Hays & Handler, hereby certify that on this 8th day of June, 1992, I have caused a copy of the foregoing "Petition For Extension Of Time" to be sent via first-class United States mail, postage prepaid, to the following:

Edwin Jorgensen, Esq.
Assistant Chief (Legal)
FM Branch
Audio Services Division
Mass Media Bureau
Federal Communications Commission
1919 M Street, N.W.
Room 332
Washington, D.C. 20554

Robert Greenberg
Assistant Chief (Engineering)
FM Branch
Audio Services Division
Mass Media Bureau
Federal Communications Commission
1919 M Street N.W.

Frank J. Martin, Jr., Esq.
Sutherland, Asbill & Brennan
1275 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-2404


Mary Odder